

Appln. No. 10/654,956  
Amdt. dated November 30, 2006  
Reply to Office action of October 6, 2006

**Amendments to the drawings:**

The attached sheets of drawings includes changes to Fig. 15b, 15d, 16 and 16a. These sheets, which includes Fig. 15b, 15d, 16 and 16a, replace the original sheets including Fig. 15b, 15d, 16 and 16a.

Attachment: Replacement Sheet

Annotated Sheet Showing Changes

**REMARKS / ARGUMENTS**

This letter is responsive to the examiner's final action mailed October 6, 2006. This response is being filed within two months of the mailing date of the final action, and thus, it is submitted that a shortened statutory period will expire on the date an advisory action is mailed and any necessary extension fees would be calculated from the mailing date of the advisory action, all as set out in the final action.

The examiner is thanked for the courtesy of the interview conducted between the applicants' attorney and the examiner on Tuesday, November 14. It is considered that the examiner will be preparing a summary of the points discussed and the agreements made during the interview. However applicants will also address all of the points discussed during the interview in the following remarks.

Under paragraph 1 of the office action, the examiner indicated that the declaration previously filed had not been considered on the basis that the declaration had not been signed by all of the applicants. Please find enclosed a replacement declaration. This declaration is identical in content to the declaration previously filed, but the present declaration has now been signed by all of the inventors as required.

The examiner commented that the pictures set forth in the declaration only set forth the creation of the net of withdrawn claim 1. The examiner asked that there be evidence of the ribbon of claim 13's existence at the material time. During the telephone interview, an opportunity was made to review the exhibits to the declaration. It was agreed that the exhibits to the declaration do clearly show the ribbon as claimed in claim 13 and following. Thus, it appeared, that upon proper execution of the declaration by all of the applicants, the declaration would be accepted and would provide a suitable "swearing behind" in connection with the Gray et al reference. The examiner is

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respectfully requested to review the declaration, and accept the declaration as providing sufficient evidence to predate Gray.

Under the heading 35 USC 112, the examiner raised comments in view of the term "conduit" as it appeared in claims 46-67 and whether that term was in conflict or was intended to mean "a laminated ribbon" or "laminate". Although the examiner stated in the office action that the term is indefinite because the specification does not clearly redefine the term, it was agreed during our telephone conversation that there is in fact support for the use of the word "conduit" in the application as originally filed. The conduit is discussed in the specification and illustrated in the figures, as filed, including, by way of example, figures 15b, 15d, 16 and 16a.

The examiner agreed that there was sufficient reference to the word "conduit" and that no further response was required in respect of the 112 issue.

Under the headings 35 USC 102 and 103, it appears there are different issues to be dealt with.

In view of the examiner's rejection of the declaration both as to form and content, the examiner continued to rely on the Gray reference. As the examiner indicated during the course of the interview that a properly sworn declaration would be sufficient to swear behind the Gray reference, then the examiner's comments with respect to Gray would no longer be pertinent. It was understood, that acceptance of the revised declaration as required by the examiner would require the examiner to consider other prior art and it was agreed that the application was not in condition for allowance solely upon the filing of this response after final action.

The second major issue to be discussed in all of the rejections based on sections 102 and 103 involves a consideration of the examiner's reference Sasaki, U.S. 5,338,593, when taken together with other of the examiner's previously discussed

references in connection with claims 58 and 67, and considered as an anticipatory reference under 35 USC 102 in respect of claims 46 through 57 and 59 through 66.

During the discussion with the examiner, it became apparent that the examiner had rejected claims 46 and following relying on the Sasaki reference based on his understanding that the word "conduit" really meant "laminated ribbon". Upon reaching an understanding that the word "conduit" was in fact used in its ordinary sense, the examiner agreed that Sasaki does not anticipate any of the claims 46 through 57 and 59 through 66 when relied upon alone.

Clearly Sasaki illustrates nothing but a multi-axial, non-woven fabric. Sasaki does not have any spreader yarns, let alone the two separated, substantially parallel continuous longitudinally extending spreader yarns as set out in claim 46.

The examiner has combined Sasaki and Waters. It is respectfully submitted there is no indication within Sasaki or Waters that the two could or should be combined as suggested by the examiner. The entire thrust of Sasaki is the production of a multi-axial, non-woven fabric. At line 63, column 1, Sasaki indicates that the fabric of his invention finds application particularly as a base material for FRP plastics and as a material of reinforcement in various sectors of industry. Nothing is set out as to what other uses the fabric may have. The only information provided in Sasaki is in the example of the invention in which it is said the arrays of pins are spaced a width of 560 mm. There is nothing whatever in Sasaki to indicate that a wire reinforcement should be placed anywhere, in particular with respect to that fabric, nor that the fabric, if reinforced with or without a wire, would be useful or contemplated for use in association with making a conduit. In fact, Sasaki appears to teach a sufficiently reinforced fabric comprising the particular array of yarns as devised in Sasaki, without the need for a wire reinforcement. Accordingly, it is respectfully submitted that there is nothing whatever in the combination of Sasaki and Waters which would lead to any teaching to combine those references to

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produce the conduit as claimed in claims 46 and following, or in particular, claims 58 and 67.

As it appears that many of the points in the final action involved addressing the response previously filed on the basis of a misunderstanding of the use of the term "conduit", and thus the examiner's application of prior art, it is respectfully requested that this amendment after final be accepted, it being recognized, that with the clarity now achieved as a result of the interview, the examiner would wish to consider other art.

Inasmuch as the discussion involved the word "conduit" and how it was referred to in the specification, the applicant also desires to amend the application to include reference numbers specifically identifying the conduit as discussed in the specification and as shown in the drawings, all as filed. Accordingly, we enclose revised paragraphs 102, 104, 105, 106, 107, 109 and 110, to more clearly identify the laminate by reference to numeral 280, 280b, 380b and 300. We also enclose revised figure 15b in which the numeral 282 has been added to the conduit illustrated therein, figure 15d to which the numeral 382 has been added to the conduit illustrated therein, figure 16 to which the numeral 282b has been added to the conduit illustrated therein and figure 16a to which the numeral 382b has been added to the conduit illustrated therein. In each case this is assigning a numeral to the conduit as shown in the drawings and as described in the specification, all as originally filed. Thus, no new material is involved in these changes.

It is respectfully requested that the amended pages of the description and drawings be entered along with this amendment.

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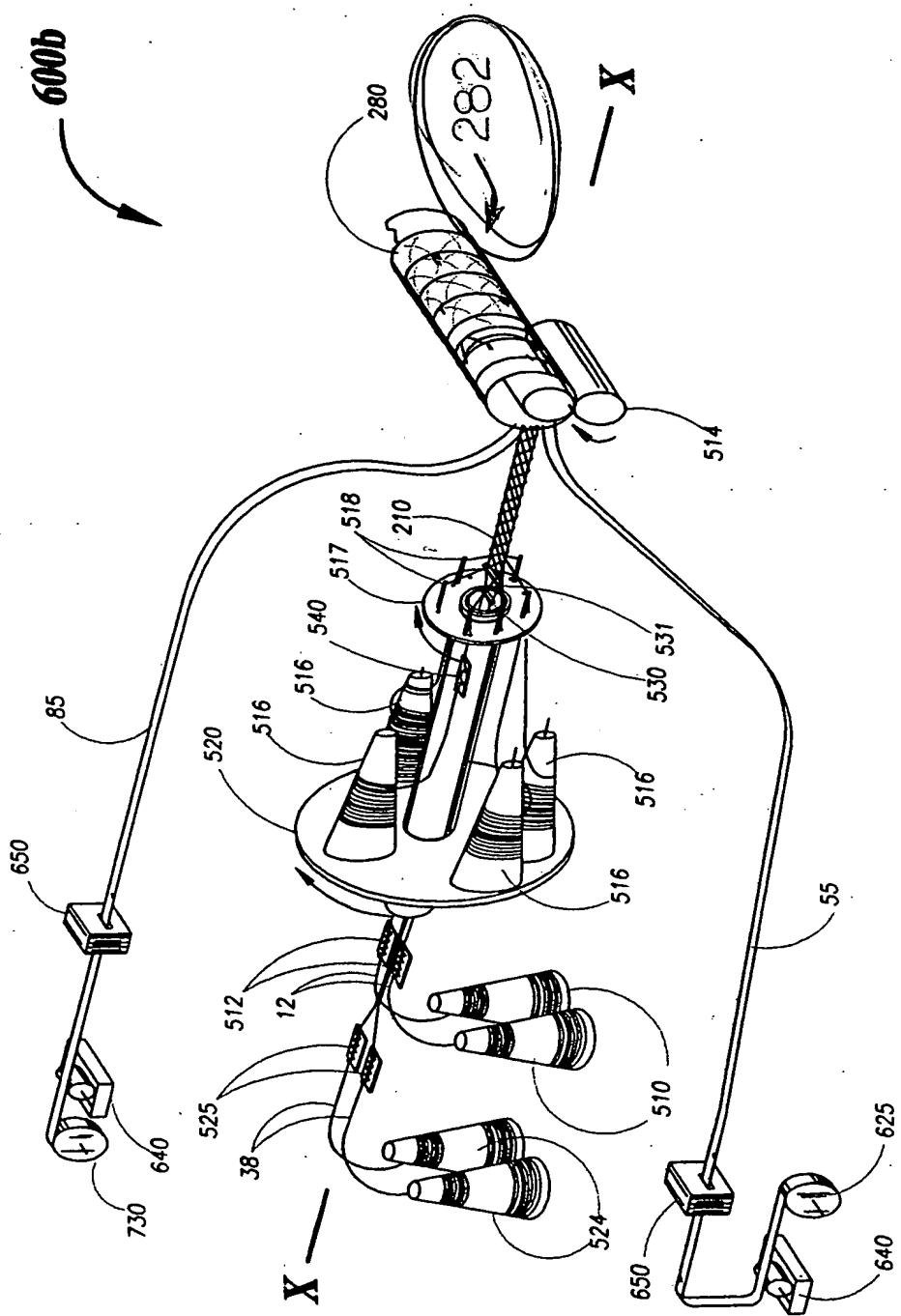
It is believed that this fairly reflects the interview discussed with the examiner and responds to all of the points remaining outstanding from the office action. Thus, entry of this amendment is requested in these particular circumstances and that the examiner further continue the examination of this application.

Respectfully submitted,  
Bereskin & Parr

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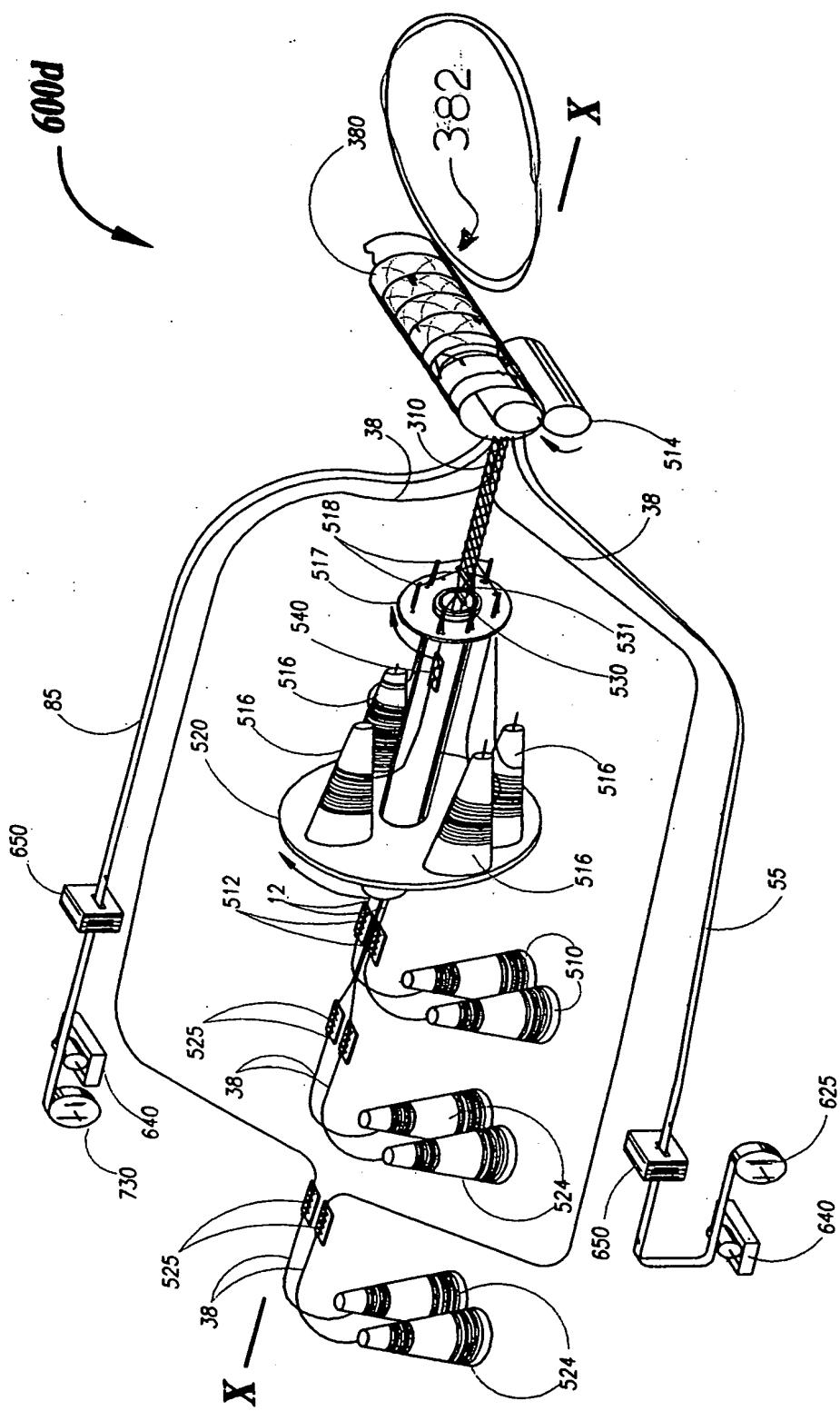
## Annotated Sheet Showing Changes

FIGURE 15b



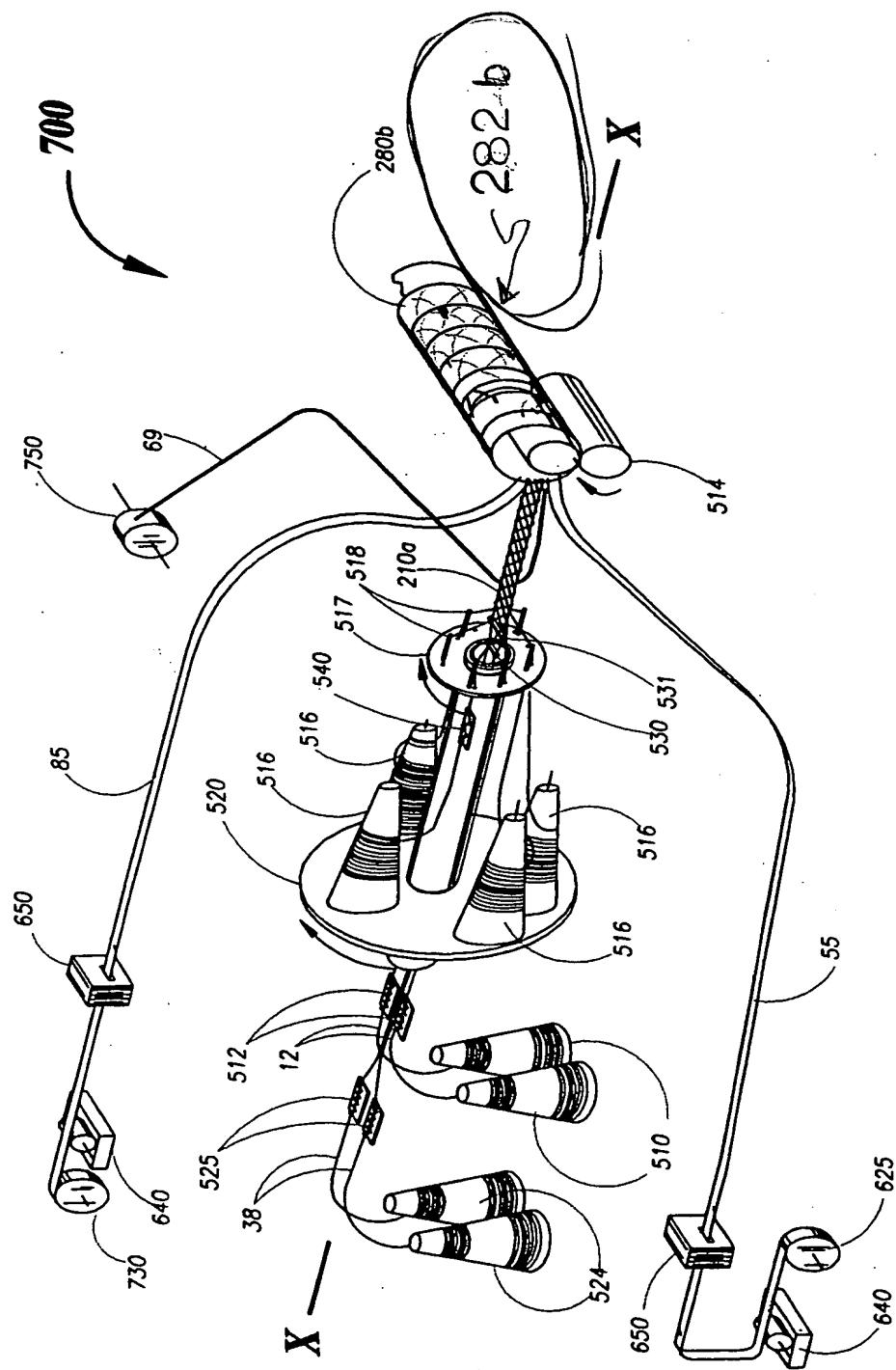
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FIGURE 15d



Annotated Sheet Showing Changes

FIGURE 16



Annotated Sheet Showing Changes

FIGURE 16a

